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13 Attorneys for Plaintiff  
14 and Cross-Defendant  
15 CHURCH OF SCIENTOLOGY INTERNATIONAL

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 FOR THE COUNTY OF MARIN

|    |                                   |   |                                 |
|----|-----------------------------------|---|---------------------------------|
| 18 | CHURCH OF SCIENTOLOGY             | ) | Case No. BC 157680              |
| 19 | INTERNATIONAL, A California not-  | ) |                                 |
| 20 | for-profit religious corporation; | ) | NOTICE OF MOTION AND MOTION     |
| 21 |                                   | ) | BY CROSS-DEFENDANT CHURCH       |
| 22 | Plaintiff,                        | ) | OF SCIENTOLOGY                  |
| 23 |                                   | ) | INTERNATIONAL FOR SUMMARY       |
| 24 | v.                                | ) | JUDGMENT OF GERALD              |
| 25 |                                   | ) | ARMSTRONG'S CROSS-COMPLAINT     |
| 26 |                                   | ) |                                 |
| 27 | GERALD ARMSTRONG; DOES 1 through  | ) | Date: <u>September 9</u> , 1994 |
| 28 | 25, inclusive,                    | ) | Time: 9:00 a.m.                 |
| 29 |                                   | ) | Dept: 1                         |
| 30 | Defendant.                        | ) |                                 |
| 31 |                                   | ) |                                 |
| 32 | AND RELATED CROSS-ACTION.         | ) | Trial Date: Sept. 29, 1994      |
| 33 |                                   | ) | Disc. Cutoff: Aug. 30, 1994     |
| 34 |                                   | ) | Mtn. Cutoff: Sept. 13, 1994     |

35 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

36 PLEASE TAKE NOTICE that on September 9, 1994 at 9:00 a.m.  
37 in Department 1 of the Marin Superior Court, Hall of Justice,  
38 3501 Civic Center Dr. #151, San Rafael, Ca. 94903-4177, Cross-  
39 Defendant Church of Scientology International (the "Church") will  
40 move for an order of summary judgment in its favor as to the  
41 Second Amended Cross-Complaint of defendant and cross-complainant  
42 Gerald Armstrong ("Armstrong") pursuant to Code of Civil

1 Procedure §437c.

2 This motion is made on the grounds that the undisputed facts  
3 demonstrate that the acts of which Armstrong complains are, as a  
4 matter of law, insufficient to state a claim for abuse of  
5 process.

6 This motion is based on this Notice, the accompanying  
7 Memorandum of Points and Authorities, the Church's Separate  
8 Statement of Undisputed Facts in Support of Motion for Summary  
9 Judgment, Evidence in Support of Church of Scientology  
10 International's Motion for Summary Judgment, and Fourth Request  
11 for Judicial Notice, the records and other documents on file in  
12 this action, and on all other matters that may be adduced at the  
13 hearing of this Motion.

14 Dated: July 22, 1994

Respectfully submitted,

15 BOWLES & MOXON

16  
17 BY: LS

Laurie J. Bartilson

18 Andrew H. Wilson  
19 WILSON, RYAN, & CAMPILONGO

20 Attorneys for Cross-  
21 Defendant  
22 CHURCH OF SCIENTOLOGY  
23 INTERNATIONAL  
24  
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27  
28

envelopes by hand to the offices of the addressees.

\*\* Such envelopes were hand delivered by  
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Executed on \_\_\_\_\_, at Los Angeles, California.

(State) I declare under penalty of the laws of  
the State of California that the above is true and  
correct.

(Federal) I declare that I am employed in the  
office of a member of the bar of this court at  
whose direction the service was made.

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Signature

\* (By Mail, signature must be of person depositing  
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messenger)

